

STATE OF ILLINOIS
ILLINOIS COMMERCE COMMISSION

THE DEPARTMENT OF TRANSPORTATION)
OF THE STATE OF ILLINOIS, for and in)
behalf of the People of the State of Illinois,)

Petitioner,)

vs.)

COMMONWEALTH EDISON COMPANY,)

Respondent.)

No.

06-0722

CHIEF CLERK'S OFFICE

NOV 13 P 2:40

ILLINOIS COMMERCE COMMISSION

(Parcel 2210501)

PETITION FOR APPROVAL TO TAKE PROPERTY

NOW COMES THE DEPARTMENT OF TRANSPORTATION OF THE STATE OF ILLINOIS, Petitioner, by LISA MADIGAN, ATTORNEY GENERAL and STANLEY L. MORRIS, Special Assistant Attorney General, and for its Petition for Approval to Take Property states:

1. Petitioner proposes to re-construct and improve FAU Route 5564 (U.S. 30), a State highway under the control and jurisdiction of Petitioner, in Whiteside County, Illinois, under and by virtue of the Illinois Highway Code (605 ILCS 5/2-101 through 5/2-220 and 5/4-101 through 5/4-511). The lands and premises hereinafter described and legally described as set out in Exhibit "A", attached hereto and incorporated by this reference, are required as a part of Petitioner's proposed improvement and reconstruction of the intersection of U.S. 30 and McNeil Road, Rock Falls, Whiteside County, Illinois, by widening the

roadway and adding turn lanes (the "Project").

2. Respondent, COMMONWEALTH EDISON COMPANY, is a public utility as defined in the Illinois Public Utilities Act (220 ILCS 5/1-101 et seq.), is engaged in the sale of electricity within Illinois and is subject to the jurisdiction of the Illinois Commerce Commission.

3. The land, rights, and other property described in Exhibit "A" are private property and the Respondent appears to own, have an interest in, or claims to have some interest therein.

4. The Project is a public work, is for public use and constitutes a public purpose, namely the reconstruction and improvement of FAU Route 5564 (U.S. 30) in Whiteside County, Illinois as hereinabove set forth; it is in the public convenience and necessity that the Petitioner have and acquire a temporary easement in Parcel 2210501, more particularly described in attached Exhibit "A".

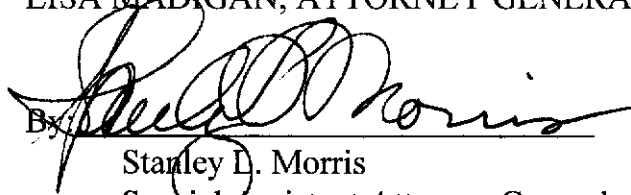
5. The compensation to be paid by the Petitioner to the Respondent for the described parcel or the interest therein or the form of conveyance cannot be agreed upon between the Petitioner and the Respondent and the Petitioner, therefore, is authorized, subject to the initial approval of the Illinois Commerce Commission, to proceed to acquire said land, rights or other property through the exercise of the right of eminent domain under the Eminent Domain Laws of Illinois.

WHEREFORE, Petitioner prays the Illinois Commerce Commission enter an Order

authorizing Petitioner to proceed with an action in eminent domain to acquire from Respondent, COMMONWEALTH EDISON COMPANY, a temporary easement, which shall be effective from the date of vesting of title until the earlier of three years or completion of construction, in Parcel 2210501, more particularly described in Exhibit "A", all in accordance with Article VII (735 ILCS 5/7-101 through 5/7-129) of the Illinois Code of Civil Procedure.

THE DEPARTMENT OF TRANSPORTATION,
STATE OF ILLINOIS, Petitioner

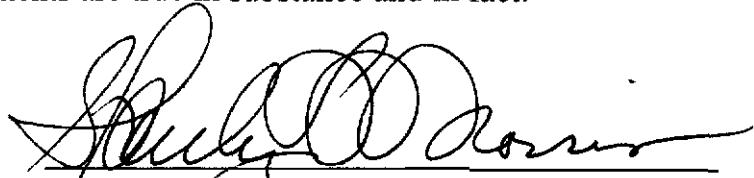
LISA MADIGAN, ATTORNEY GENERAL

By 
Stanley L. Morris
Special Assistant Attorney General

Stanley L. Morris
Special Assistant Attorney General
205 South Fifth Street, Suite 900
Springfield, IL 62701
(217) 753-1133

STATE OF ILLINOIS)
) SS
COUNTY OF SANGAMON)

I, STANLEY L. MORRIS, of lawful age and being first duly sworn, depose and say that I am a Special Assistant Attorney General for the State of Illinois, that I have read the above and foregoing Petition by me subscribed, have knowledge of the contents thereof and that on information and belief said contents are true in substance and in fact.

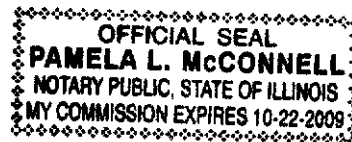


STANLEY L. MORRIS
Special Assistant Attorney General

Subscribed and sworn to before me, a Notary Public, this 13th day of November,
2006.



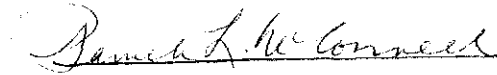
Notary Public



PROOF OF SERVICE

The undersigned certifies that on Nov. 13, 2006, a copy of the foregoing document was deposited in the U.S. Mail, with postage prepaid, at Springfield, Illinois, plainly addressed to:

Mr. Darrel Bradford
Vice President
Commonwealth Edison Company
P.O. Box 805379
Chicago, IL 60680-5379

_____